

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT ON BEHALF OF THE CITY OF ATLANTA CERTAIN PROPERTY AT THE INTERSECTION OF BRENDA DRIVE AND FAIRBURN ROAD IN LANDLOT 35 OF THE 14TH (FF) DISTRICT, FULTON COUNTY GEORGIA, AS DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "A-1, " PURSUANT TO A QUITCLAIM DEED CONVEYING LAND TO THE CITY FOR WATER AND SEWER PURPOSES ; AND FOR OTHER PURPOSES.

WHEREAS, a developer Princeton Lakes, LLC is the record owner of certain property located at the intersection of Brenda Drive and Fairburn Road in Landlot 35 of the 14th (FF) District in the City of Atlanta, Fulton County, Georgia (the "Property") herein described in the attached Exhibits "A" and "A1"; and

WHEREAS, said parcel of land is currently undeveloped; and

WHEREAS, the developer desire donated said Property for consideration of one dollar (\$1.00), to the City of Atlanta for the public purpose of the City developing a pump station, pursuant to that certain Quit Claim Deed, attached as Exhibit "A", recorded in the records of Fulton County Georgia, Deed Book 36688, Page 574, on December 15, 2003; and

WHEREAS, the acceptance of this donation of land is authorized at the discretion of the governing body of the City of Atlanta by the terms and provisions of O.C.G.A. §36-37-1; and

WHEREAS, the City is satisfied that the acceptance of this donated land is in the best interests of the City.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor be and is hereby authorized on behalf of the City of Atlanta to accept the donation of certain Property from Princeton Lakes, LLC, said Property being located at the intersection of Brenda Drive and Fairburn Road in Land Lot 35 of the 14TH (FF) District, Fulton County Georgia, as described in the attached Exhibits "A" and "A-1, " pursuant to that certain Quit Claim Deed, attached as Exhibit "A", recorded in the records of Fulton County Georgia, Deed Book 36688, Page 574, on December 15, 2003, for water and sewer general uses and purposes.

BE IT FINALLY RESOLVED that all resolutions or parts of resolutions in conflict herewith are hereby waived to the extent of the conflict.

Part II: Legislative White Paper:

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities Committee

Caption: AN ORDINANCE BY
CITY UTILITIES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT ON BEHALF OF THE CITY OF ATLANTA CERTAIN PROPERTY AT THE INTERSECTION OF BRENDA DRIVE AND FAIRBURN ROAD IN LANDLOT 35 OF THE 14TH (FF) DISTRICT, FULTON COUNTY GEORGIA, AS DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "A-1 " BY EXECUTION OF A QUITCLAIM DEED CONVEYING LAND TO THE CITY FOR THE DEVELOPMENT OF A PUMPSTATION; TO AUTHORIZE THE WAIVER OF FEES ASSOCIATED WITH THE TRANSFER OF THE PROPERTY; AND FOR OTHER PURPOSES.

Council Meeting Date: July 21, 2008

Requesting Dept.: Watershed Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation to execute a Quitclaim Deed conveying the City of Atlanta's interest in property located in Land Lot 35 of the 14th (FF) District, Fulton County, Georgia for the amount of one dollar.

2. Please provide background information regarding this legislation.

This land is located adjacent to the Fairburn Pump Station and the developer would like to donate the land to the city for the development of the pumpstation for the amount of \$1.00.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** N/A
- (b) **Source Selection:** N/A
- (c) **Bids/Proposals Due:** N/A

(d) **Invitations Issued:** N/A

(e) **Number of Bids:** N/A

(f) **Proposals Received:** N/A

(g) **Bidders/Proponents:** N/A

(h) **Term of Contract:** N/A

4. **Fund Account Center (*Ex. Name and number*):** N/A

Fund: _____ **Account:** _____ **Center:** _____

5. **Source of Funds:** *Example: Local Assistance Grant*

6. **Fiscal Impact:** \$1

7. **Method of Cost Recovery:**

This Legislative Request Form Was Prepared By: Maisha L. Wood

Princeton Lakes LLC
760 Old Roswell Road
Suite 100
Roswell Ga. 30076

Filed and Recorded Dec-15-2003 11:12am
2003-0466896
Real Estate Transfer Tax \$0.00
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia
11/15/03 11:12 AM

Quitclaim Deed

State of GEORGIA

County of Fulton

This Indenture made this 12th day of December 2003, between Princeton Lakes LLC, of the county of Fulton, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and City of Atlanta, Department of Watershed Management, Bureau of Drinking Water of the county of Fulton, and the State of Georgia, as party or parties of the second part, hereinafter called Grantee (the words "Grantors" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.)

WITNESSETH that Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) and of the good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto said grantee.

Beginning at a point located at the intersection of the Northerly right-of-way line of Brenda Drive (having a 40-foot right-of-way) and the Easterly right-of-way line of Fairburn Road (having a 50-foot right-of-way); Thence along the Easterly right-of-way line of Fairburn Road, along a curve to the left, an arc length of 96.31 feet, said curve having a radius of 2693.15 feet with a chord distance of 96.31 feet, at North 66 degrees 25 minutes 35 seconds East to a point; Thence North 64 degrees 32 minutes 04 seconds East, a distance of 239.99 feet; Thence leaving said right-of-way, South 26 degrees 19 minutes 22 seconds East, a distance of 168.83 feet to a point on the Northerly right-of-way line of Brenda Drive; Thence along said right-of-way line, North 88 degrees 32 minutes 55 seconds West, a distance of 379.93 feet to a point being the TRUE POINT OF BEGINNING

See Exhibit A and A-1

THIS DEED is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons claiming by, through and under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public:
My Commission expires:

Princeton Lakes LLC

City of Atlanta
Department of Watershed Management
Bureau of Drinking Water

Property Line Description
COA Water Tract
Camp Creek Parkway
Fulton County, Georgia

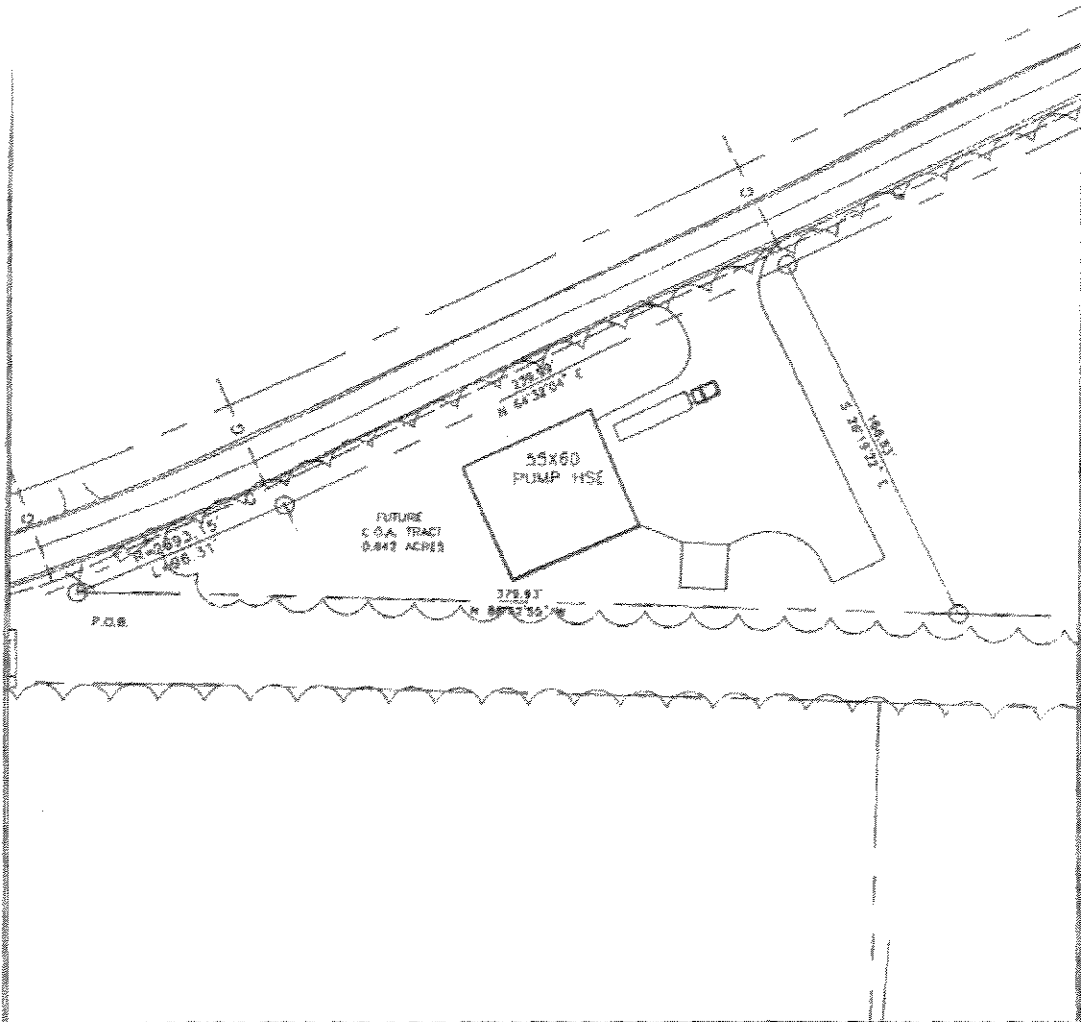
All that tract or parcel of land lying and being in Land Lot 35 of the 14th(FF) District, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a point located at the intersection of the Northerly right-of-way line of Brenda Drive (having a 40-foot right-of-way) and the Easterly right-of-way line of Fairburn Road (having a 50-foot right-of-way); Thence along the Easterly right-of-way line of Fairburn Road, along a curve to the left, an arc length of 96.31 feet, said curve having a radius of 2683.15 feet with a chord distance of 96.31 feet, at North 66 degrees 25 minutes 35 seconds East to a point; Thence North 64 degrees 32 minutes 04 seconds East, a distance of 239.99 feet; Thence leaving said right-of-way line, South 26 degrees 19 minutes 22 seconds East, a distance of 168.83 feet to a point on the Northerly right-of-way line of Brenda Drive; Thence along said right-of-way line, North 88 degrees 32 minutes 55 seconds West, a distance of 379.93 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract of land contains 0.642 Acres.

EXHIBIT A-1

Deed Book 36688 Pg. 376
 Juanita Hicks
 Clerk of Superior Court
 Fulton County, Georgia



139
 84
 335

SCALE: 1"=60'

PROJECT NO. 02-162

Southwestern
 Civil Engineering, Inc.
 1010 Peachtree Street, N.E.
 Atlanta, Georgia 30309
 (404) 525-1100

PRINCETON LAKES, LLC
 760 OLD ROSWELL ROAD
 ROSWELL, GA 30076
 24 HOUR CONTACT: PAUL N. DONNELLY
 706-380-8260

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: _____ Maisha L. Wood _____

Contact Number: _____ (404) 330-6887 _____

Originating Department: _____ Department of Watershed Management _____

Committee(s) of Purview: _____ City Utilities _____

Chief of Staff Deadline: _____ July 3, 2008 _____

Anticipated Committee Meeting Date(s): _____ July 15, 2008 _____

Anticipated Full Council Date: _____ July 21, 2008 _____

Legislative Counsel's Signature: _____

Commissioner Signature: _____

Chief Procurement Officer Signature: _____ N/A _____

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT ON BEHALF OF THE CITY OF ATLANTA CERTAIN PROPERTY AT THE INTERSECTION OF BRENDA DRIVE AND FAIRBURN ROAD IN LANDLOT 35 OF THE 14TH (FF) DISTRICT, FULTON COUNTY GEORGIA, AS DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "A-1 " PURSUANT TO A QUITCLAIM DEED CONVEYING LAND TO THE CITY FOR WATER AND SEWER PURPOSES ; AND FOR OTHER PURPOSES

FINANCIAL IMPACT (if any): n/a

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: _____ Reviewed by: _____
(date) (date)

Submitted to Council: _____
(date)